

146.560 Kentucky Heritage Land Conservation Fund Board.

- (1) There is hereby established a Kentucky Heritage Land Conservation Fund Board, referred to hereafter as "the board", which shall administer the Kentucky Heritage Land Conservation Fund established in KRS 146.570 and shall review and approve all grants payable from the fund. The board shall consist of the following members:
 - (a) The commissioner of the Department of Parks or a designee;
 - (b) The director of the Kentucky Nature Preserves Commission or a designee;
 - (c) The commissioner of the Department for Natural Resources or a designee;
 - (d) The commissioner of the Department of Fish and Wildlife Resources or a designee;
 - (e) The chairperson of the Kentucky Environmental Education Council or a designee;
 - (f) One (1) person appointed by the Governor, from two (2) persons nominated by the Kentucky Chapter of the Nature Conservancy;
 - (g) One (1) person appointed by the Governor, from two (2) persons nominated by the League of Kentucky Sportsmen;
 - (h) Two (2) persons appointed by the Governor, from four (4) persons recognized for their expertise in natural resource issues and nominated by the Kentucky Academy of Sciences;
 - (i) One (1) person appointed by the Governor, from three (3) persons nominated, one (1) by the Kentucky Farm Bureau, one (1) by the Commissioner of the Department of Agriculture, and one (1) by the Kentucky Association of Conservation Districts;
 - (j) One (1) person appointed by the Governor, from three (3) persons nominated, one (1) by the Kentucky Audubon Council, one (1) by the Cumberland Chapter of the Sierra Club, and one (1) by the Kentucky Conservation Committee; and
 - (k) One (1) person appointed by the Governor with at least five (5) years of experience in natural resources land acquisition.

The board shall receive staff support from the Environmental and Public Protection Cabinet and the Department of Fish and Wildlife Resources. Of the seven (7) members identified in paragraphs (f) to (k) of this subsection and first appointed, two (2) shall continue in office for terms of one (1) year, two (2) for terms of two (2) years, and three (3) for terms of three (3) years, as the Governor designates. At the expiration of the original terms and for all succeeding terms, the Governor shall appoint a successor to the board for a term of three (3) years in each case. Members may be reappointed. A vacancy in an unexpired term shall be filled for the unexpired portion of the term in the same manner as the original appointment to that term. The Governor shall appoint a chairperson for the board.

- (2) The board shall promulgate in accordance with the provisions of KRS Chapter 13A administrative regulations as are deemed necessary for application for funds from the agencies identified in KRS 146.570, review and approval of proposed projects,

and review and approval of grants. Grants shall be made in amounts, for purposes, and to the agencies identified in KRS 146.570 as meet the priorities for acquisition which are:

- (a) Natural areas that possess unique features such as habitat for rare and endangered species;
- (b) Areas important to migratory birds;
- (c) Areas that perform important natural functions that are subject to alteration or loss; or
- (d) Areas to be preserved in their natural state for public use, outdoor recreation and education.

The board shall promulgate administrative regulations in accordance with the provisions of KRS Chapter 13A on acquisition based on these priorities and property costs seeking to maximize the greatest public benefit by taking advantage of those priority areas available below fair market value and where public or private funds are available on a matching basis. The board shall expend the whole or any part of the principal and interest as needed. KRS 146.550 to 146.570 shall not allow the use of condemnation powers and shall only allow acquisition of land from willing sellers.

Effective: July 15, 1998

History:Amended 1998 Ky. Acts ch. 67, sec. 1, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 328, sec. 1, effective July 15, 1994. -- Created 1990 Ky. Acts ch. 446, sec. 2, effective July 13, 1990.

Legislative Research Commission Note (6/20/2005). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.